

Remarks/Arguments

This paper is submitted responsive to the office action which was mailed on June 23, 2010. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

In the aforesaid action, a rejection is made of claim 53 under 35 USC 112, second paragraph. Claim 53 has been amended to address this issue by changing the "second surface" to "second side" which was intended. Claim 53 is believed proper under 35 USC 112.

Claims 52 and 53 were also objected to based upon the fact that the first overmold defines the second side and the second overmold defines the first side. Claim 52 has been amended to recite that the overmolds together define these sides so that a reader will not be misled as suggested by the Examiner. The remaining claim language is believed to be clear and proper. A reader exercising the normal care in reading these claims will not have any trouble following which of the two overmolds defines which of the two sides.

Claims 1-3, 15-19, 30-33, 48, 49 and 51-53 were rejected rejection based upon Fogarty in view of Pierce. This combination of art is used to reject independent claims 1, 19, 30, 32, 48 and 49.

In making this rejection, the Examiner has acknowledged that the cited Fogarty patent does not disclose hooked elements, and this teaching is said to come from Pierce.

First, it is submitted that the structures shown in Pierce at 24 and 80 in Figure 13 are not hooks as called for in the present application. Rather, 24 is a point of material which is

raised up out of the base material, leaving the underlying depression 80 as shown. Neither of these structures is a hook as called for in the present claims.

Second, even if the structures 24, 80 of Pierce were considered to be hooks, the structures of the device taught by Pierce are sufficiently different from that of Fogarty that a person skilled in the art would not consider combining them. This is because Fogarty already discloses a textured surface, and there is no need to look for a hook structure such as what is said to be taught in Pierce for incorporation into Fogarty. Further, it is submitted that a cursory review of Fogarty and Pierce would show them to be sufficiently different devices that a person skilled in the art would not expect interchangeable features between them. This is particularly true with respect to the surface points of the jaws in Pierce and the pads in Fogarty, which could not be treated in the same manner as the jaws in Pierce in order to define the points in question.

Dependent claim 3 calls for the hooks to have two crooks. This is different from what is shown at 24 and 80 in Pierce, which are separate structures as opposed to one hook having two crooks. Claim 3 is therefore believed to further define over the art of record. Still further, new claim 54 has been added and makes even more clear that the two crooks extend from the same stem of a hook. This structure is not disclosed or suggested by the cited art, and further would cut against the teachings of Pierce since a complicated procedure would be needed in order to cut these crooks into the structure of Pierce from opposite sides of the stem or hook.

Turning to claims 52 and 53, these claims call for overmolds that are not shown in Fogarty, and further still

nothing calls for the claimed difference in Shore A between the first and second overmolds. Reconsideration of the rejection of these claims is requested.

Independent claims 12 and 13 are included in a rejection based upon Fogarty, Pierce and Bramstedt US 2,706, 987. These two claims are considered patentable for the same reasons as the claims set forth above. Bramstedt is drawn to a different feature and does not impact the teachings with respect to the hooked members.

This paper is accompanied by authorization to charge a fee for extra claims and an extension of time to Deposit Account 02-0184. It is believed that no additional fee is due in connection with this paper. If any fee is due, please charge same to Deposit Account 02-0184.

Respectfully submitted,  
George D. Hermann et al.

By /george a. coury/  
George A. Coury  
BACHMAN & LAPOINTE, P.C.  
Reg. No. 34,309  
Attorney for the Applicant(s)  
Tel:(203)777-6628 ext. 113  
Fax:(203)865-0297  
Email:docket@bachlap.com

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